

App. No. 10/523,102  
Office Action Dated May 10, 2006

### REMARKS

Reconsideration is respectfully requested in view of the above amendments and following remarks. Claims 1, 4, 5, 7, 9 and 14 have been amended. The limitation in claim 1 concerning the anode having a surface layer with niobium oxide as its main component is supported by previous claim 3. The limitation in previous claim 1 has been incorporated in claims 5, 7 and 9. The limitation in claim 7 concerning the niobium-containing powder having a surface layer containing manganese is supported by previous claim 8. The limitation in claim 14 concerning the step of forming the anode, which involves forming a compressed molded product made of a niobium-containing powder and then sintering the compressed molded product is supported by previous claim 15. Claim 4 has been amended editorially. Claims 3, 8 and 15 have been canceled without prejudice or disclaimer. Claims 1, 2, 4-7, 9-14, 16-17 and 20-21 are pending. No new matter has been added.

### *Claim Objections*

Claim 15 has been objected to because of informalities. Claim 15 has been incorporated in claim 14. Claim 14 has been amended, taking the issue noted in the objection into account.

Withdrawal of the objection is respectfully requested.

### *Claim rejections - 35 U.S.C. § 102/103*

Claims 1, 7, 13-14 are rejected under 35 USC 102(e) as being anticipated by Omori et al. (US 2005/0041372). Claim 2 is rejected under 35 USC 103(a) as being unpatentable over Omori et al. The rejections are rendered moot, as claims 3, 8 and 15 were allowed. Applicants do not concede the correctness of the rejection.

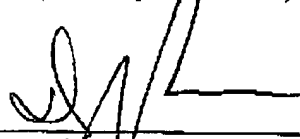
Favorable reconsideration and withdrawal of the rejection are respectfully requested.

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In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions or concerns regarding this communication can be directed to the attorney-of-record, Douglas P. Mueller, Reg. No. 30,300, at (612) 455.3804.

Dated: August 9, 2006

Respectfully Submitted,



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